

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CHIEF HENRY V. TOBIN III,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No.: 04-1211-MPT
)	
THOMAS P. GORDON, individually and in)	
his official capacity; SHERRY FREEBERY,)	
individually and in her official capacity;)	
COLONEL JOHN L. CUNNINGHAM,)	
RETIRED, individually; COLONEL DAVID)	
F. MCALLISTER, individually and in his)	
official capacity; and NEW CASTLE)	
COUNTY, a municipal corporation,)	
)	
Defendants.)	

DEFENDANTS' MOTION TO DISMISS

Defendants, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, move to dismiss Plaintiff's Amended Complaint in its entirety. The reasons for this request are set forth more fully in Defendants' Brief in Support of Their Motion to Dismiss, filed contemporaneously with this Motion.

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